

(MANx),CLOSED,DISCOVERY

**UNITED STATES DISTRICT COURT for the CENTRAL DISTRICT OF
CALIFORNIA (Western Division – Los Angeles)
CIVIL DOCKET FOR CASE #: 2:12-cv-06917-SVW-MAN**

John Edmond v. United States Department of Justice et al
Assigned to: Judge Stephen V. Wilson
Referred to: Magistrate Judge Margaret A. Nagle
Cause: 05:552 Freedom of Information Act

Date Filed: 08/10/2012
Date Terminated: 04/09/2013
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**John Edmond**

represented by **John Edmond**
1655 West 110th Street
Los Angeles, CA 90047
323-455-1857
PRO SE

V.

Defendant**United States Department of Justice****Defendant****Office of Information Policy**

Date Filed	#	Docket Text
08/10/2012	<u>1</u>	COMPLAINT FOR FOIA against defendants Office of Information Policy, United States Department of Justice. Case assigned to Judge Stephen V. Wilson for all further proceedings; Discovery referred to Magistrate Judge Margaret A. Nagle;(Filing fee \$ 350 PAID); filed by plaintiff John Edmond.(esa) (Entered: 08/14/2012)
08/10/2012		60 DAY Summons Issued re Complaint <u>1</u> as to defendants Office of Information Policy, United States Department of Justice. (esa) (Entered: 08/14/2012)
08/10/2012	<u>2</u>	CERTIFICATION AND NOTICE OF INTERESTED PARTIES filed by plaintiff John Edmond. (esa) (Entered: 08/14/2012)
08/15/2012	<u>3</u>	Letter from Ann Martinez, Civil Intake Clerk regarding summons was improperly issued by the clerk's office. Because this claim is pertaining to the Freedom Of Information Act, the United States or an officer or agency thereof shall have 30 days after service of the complaint to answer or respond, pursuant to 5 USC 552. (et) (Entered: 08/16/2012)
08/16/2012	<u>4</u>	NEW CASE ORDER by Judge Stephen V. Wilson, (pj) (Entered: 08/16/2012)
09/17/2012	<u>5</u>	PROOF OF SERVICE filed by plaintiff John Edmond, re Freedom of Information Act Complaint – (Discovery), <u>1</u> , Summons Issued served on 8/16/12. (es) (Entered: 09/20/2012)
11/15/2012	<u>6</u>	REQUEST for Entry of Default against Defendant Office of Information Policy filed by Plaintiff John Edmond. (pj) (Entered: 11/20/2012)
11/20/2012	<u>7</u>	NOTICE OF DEFICIENCY Re: REQUEST for Entry of Default against Defendant Office of Information Policy <u>6</u> . The Clerk cannot enter the requested relief as Proof of Service is lacking required information. Missing the proofs of service that are indicated in the Declaration of the Request for Default. The proof of service filed on 9/17/2012 does not indicate who accepted service on behalf of defendants.

		Requesting party shall file a new Request/Application with noted deficiencies corrected in order to have default reconsidered.. (pj) (Entered: 11/20/2012)
11/28/2012	<u>8</u>	PROOF OF SERVICE BY MAIL Executed by Plaintiff John Edmond, upon Defendant Office of Information Policy served on 8/16/2012, answer due 9/15/2012; United States Department of Justice served on 8/16/2012, answer due 9/15/2012. Executed upon the officer agency or corporation by unspecified means. Service was executed in compliance with statute not specified. Due diligence declaration NOT attached. Registered or certified mail return receipt attached. See attached tracking receipt. Original Summons NOT returned. (pj) (Entered: 11/30/2012)
11/28/2012	<u>9</u>	REQUEST for Entry of Default against defendant Office of Information Policy filed by Plaintiff John Edmond. (pj) (Entered: 11/30/2012)
11/30/2012	<u>10</u>	NOTICE OF DEFICIENCY Re: REQUEST for Entry of Default against defendant Office of Information Policy <u>9</u> . The Clerk cannot enter the requested relief as Request for Entry of Default has been forwarded to assigned Judge, This case is a Freedom Of Information Act. 1) Clerk unable to determine the propriety of service of process on Office of Information Policy and United States Department of Justice by UPS. 2)Proof of service is lacking Information: Signed by Adams. No First Name, Title or Capacity to accept service of process. (pj) (Entered: 11/30/2012)
01/03/2013	<u>11</u>	MINUTE ORDER IN CHAMBERS by Judge Stephen V. Wilson. The Court, on its own motion, hereby orders plaintiff(s) to show cause in writing no later than January 17, 2013 why this action should not be dismissed as to all remaining defendants for lack of prosecution. (See Order for details.) (kti) (Entered: 01/03/2013)
01/17/2013	<u>12</u>	RESPONSE to court order to show cause why case should not be dismissed for lack of prosecution filed by Plaintiff John Edmond to, <u>11</u> (pj) (Entered: 01/22/2013)
01/17/2013	<u>13</u>	MOTION for Default Judgment against Defendant United States Department of Justice (DOJ) et al filed by Plaintiff John Edmond. Motion set for hearing on 2/25/2013 at 01:30 PM before Judge Stephen V. Wilson. (pj) (Entered: 01/22/2013)
01/23/2013	<u>14</u>	MINUTES (IN CHAMBERS) ORDER re: Motion for Default Judgment <u>13</u> by Judge Stephen V. Wilson: The Motion for Default Judgment <u>13</u> is not proper because Plaintiff's Request for Entry of Default <u>9</u> was deficient. To show adequate service of the United States required for entry of default, Plaintiff must demonstrate compliance with FRCP 4(i). Plaintiff's Motion for Default Judgment is deemed premature, and the motion and hearing are vacated. Moreover, as the Court noted in its Order to Show Cause, to avoid dismissal for lack of prosecution, Plaintiff must properly serve the summons and complaint upon all defendants within 120 days after filing the complaint. Here, the 120 day period has passed and the Court has received no adequate proof that the United States has been properly served. Nonetheless, the Court will grant Plaintiff an additional 45 days to perform adequate service in compliance with Rule 4(i). Failure to provide proof of such service by that deadline will subject this action to dismissal with prejudice. (jp) (Entered: 01/23/2013)
03/05/2013	<u>15</u>	NOTICE OF DISCREPANCY AND ORDER: by Judge Stephen V. Wilson, ORDERING Addendum to Motion for Default Judgment submitted by Plaintiff John Edmond received on 2/20/13 is not to be filed but instead rejected. Denial based on: Plaintiff's motion for Default Judgment is deemed premature, and the motion and hearing are vacated on 1/23. (pj) (Entered: 03/07/2013)
03/28/2013	<u>17</u>	REQUEST for Entry of Default against defendant Office of Information Policy, United States Department of Justice filed by Plaintiff John Edmond with attached United Service Delivery confirmation Exhibit B; Lodged Proposed Order (pj) Modified on 4/5/2013 (pj). (Entered: 04/05/2013)
03/28/2013	<u>18</u>	ADDENDUM TO motion for default judgment re REQUEST for Entry of Default against defendant Office of Information Policy, United States Department of Justice <u>17</u> filed by Plaintiff John Edmond. (pj) (Entered: 04/05/2013)

04/02/2013	<u>16</u>	NOTICE OF DISCREPANCY AND ORDER: by Judge Stephen V. Wilson, ORDERING Motion for Default Judgment submitted by Plaintiff John Edmond received on 3/22/13 is not to be filed but instead rejected. Denial based on: No Default entered by Clerk on Court Docket. (lom) (Entered: 04/04/2013)
04/09/2013	<u>19</u>	MINUTES (IN CHAMBERS): ORDER Re MOTION FOR DEFAULT JUDGMENT <u>14</u> by Judge Stephen V. Wilson. On January 23, 2013, this Court entered an Order instructing Plaintiff to provide proof of service within 45 days in compliance with Rule 4(i). Plaintiff has failed to provide such proof of service; as a result of his failure to comply with the Courts January 23, 2013 Order, the matter is dismissed without prejudice. (kti) (Entered: 04/10/2013)